

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

BRUCE X. COOPER,

Plaintiff,

v.

JOHN WETZEL, *et al.*,

Defendants.

No. 4:21-CV-01793

(Chief Judge Brann)

ORDER

AND NOW, this 6th day of July 2023, in accordance with the accompanying Memorandum, **IT IS HEREBY ORDERED** that:

1. Defendants' motion (Doc. 49) for summary judgment pursuant to Federal Rule of Civil Procedure 56 is **GRANTED** in part and **DENIED** in part, as follows:
 - a. Defendants' motion is **GRANTED** as to Cooper's Eighth Amendment conditions-of-confinement claim against defendant John Wetzel.
 - b. Defendants' motion is **GRANTED** in part as to the scope of the conditions-of-confinement claim against defendant Kevin Ransom, as specified in the accompanying Memorandum.
 - c. Defendants' motion is **DENIED** in all other respects.
2. Entry of judgment in accordance with paragraph one above shall be deferred pending resolution of Cooper's remaining Eighth Amendment conditions-of-confinement claim against Ransom.

3. Pursuant to Defendants' November 15, 2022 motion¹ and this Court's November 18, 2022 Order,² Ransom shall have 30 days from the date of today's Order to file a second motion for summary judgment addressing the merits of the remaining Eighth Amendment claim against him.
4. The Clerk of Court is directed to terminate defendant John Wetzel.

BY THE COURT:

s/ Matthew W. Brann

Matthew W. Brann

Chief United States District Judge

¹ Doc. 52.

² Doc. 59.